



ILLINOIS COMMERCE COMMISSION

May 11, 2006

City of Belvidere, Boone County, Illinois,
Petitioner,

Vs.

Union Pacific Railroad Company and Daimler Chrysler Corporation,
Respondents.

T06-0036

Petition for an Order of the Illinois Commerce Commission authorizing the improvement of the existing grade crossing at Daimler Drive with the spur track owned by Daimler Chrysler Corporation in the City of Belvidere, Illinois, directing the installation of crossbucks with yield signs and a stop and flag order on the crossing by the owner, Daimler Chrysler Corporation.

Mr. Michael S. Drella
City Attorney
City of Belvidere
119 South State Street
Belvidere, IL 61008

Dear Mr. Drella:

Receipt is acknowledged of the original and one (1) copy of the Petition filed May 11, 2006 in the above matter.

All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-docket if you have an account. To apply for an account, please log on to www.icc.illinois.gov and apply for an E-docket account.

Processing and Information Section

KI

Cc: Mr. Mack Shumate, Jr., UP
CT Corporation System, UP
Mr. Dave McKernan, UP
Mr. Patrick O. Lindsey, Daimler Chrysler Corporation
Mr. Frederic C. Brereton, City of Belvidere, Mayor

ORIGINAL RECEIVED

MAY 11 2006

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission
RAIL SAFETY SECTION

City of Belvidere, Boone County, Illinois,)
Petitioner.)

Vs.)

No.)

TO6-0036

Union Pacific Railroad Company and)
Daimler Chrysler Corporation,)
Respondents.)

Petition for an Order of the Illinois Commerce Commission
authorizing the improvement of the existing grade crossing at Daimler
Drive with the spur track owned by Daimler Chrysler Corporation
in the City of Belvidere, Illinois, directing the installation of crossbucks
with yield signs and a stop and flag order on the crossing by the owner,
Daimler Chrysler Corporation.

PETITION

TO THE ILLINOS COMMERCE COMMISSION:

Now comes the Petitioner, the City of Belvidere, Illinois (hereinafter the City) by
its Attorney, Michael S. Drella, and respectfully petitions this Honorable Commission as
follows:

- 1) Respondent, Daimler Chrysler Corporation, is a corporation owning and operating an automobile assembly plant in the City of Belvidere, Illinois.
- 2) As a part of its operations, Daimler Chrysler Corporation owns a spur rail line running from its assembly plant and connecting with the Union Pacific Railroad.
- 3) As a part of an expansion of the Daimler Chrysler assembly plant and its operations, the City constructed a new City right-of-way, Daimler Drive. Daimler Drive runs in an east-west direction and crosses the spur line.
- 4) Daimler Drive and its intersection with the spur line are more specifically set forth on the map attached hereto and incorporated herein as Exhibit A.
- 5) Daimler Drive, on both sides of the crossing of the spur line, lies within the City of Belvidere and will be dedicated as a public street by Daimler Chrysler Corporation. Daimler Drive is a public street open to the general public. Daimler Drive from the east spur line to Appleton Road is owned, via dedication by the City of Belvidere. Daimler Drive west of the westerly spur line is a permanently dedicated easement for public highway purposes.
- 6) The construction of Daimler Drive was necessary to accommodate the increased traffic created by the expansion of the assembly plant.

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MAY 11 2006

- 7) The railroad traffic on the spur line is freight of low volume. Typically, only two trains per week will operate on the spur line, consisting of a switch engine and two to five freight cars.
- 8) The installation of crossbucks, along with a stop and flag order, are necessary in the interest of public safety. These minimal safety precautions are appropriate protective devices given the level of traffic on the spur line as well as on Daimler Drive.
- 9) The cost of the installation of the crossbucks should be born by Daimler Chrysler Corporation.
- 10) The City respectfully requests that this Commission make every effort to expedite, accelerate and advance upon its docket the matter of this Petition.

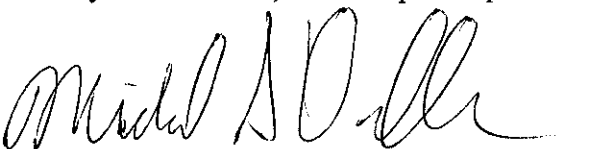
WHEREFORE, Petitioner respectfully requests that this Commission set the aforesaid matter for hearing with notice to the Parties hereto, and after such hearing enter an Order:

- 1) Authorizing the improvement of the grade crossing of the spur line at Daimler Drive as shown on the map and plan attached hereto.
- 2) Directing Respondent, Daimler Chrysler Corporation, to install and maintain crossbucks conforming with the provisions of 92 Ill.Adm.Code 1535 and 1536 as amended, at said crossing.
- 3) Directing Daimler Chrysler Corporation to comply with and enforce a stop and flag order with respect to the crossing.
- 4) Directing Daimler Chrysler Corporation to pay the cost of designing, installation and maintenance of the crossbucks.
- 5) For such further relief that this Commission finds just, fair and appropriate.

Dated at Belvidere, Illinois this 8th day of May, 2006.

Respectfully submitted,

The City of Belvidere, a municipal corporation

By: 
Michael S. Drella
One of its attorneys

Prepared by:
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State of Illinois)
)
County of Boone)

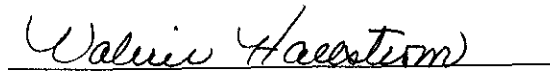
VERIFICATION

I, Frederic C. Brereton, being duly sworn upon oath depose and say that I am the duly elected Mayor of the City of Belvidere, Boone County, Illinois; that I have read the foregoing Petition by me subscribed and know the contents thereof; and that said contents are true in substance and fact.



Frederic C. Brereton
Mayor

Subscribed and sworn to before me this 8th day of May, 2006.


Notary Public

State of Illinois)
)
County of Boone)

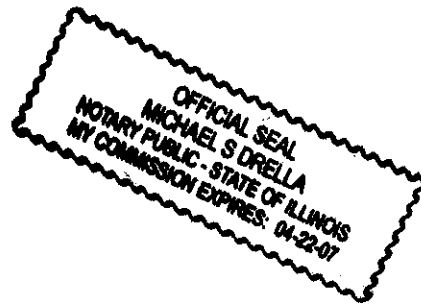
PROOF OF SERVICE

I, Valerie Hallstrom, hereby certify that I served true and correct copies of the foregoing Petition to the individuals listed on the attached service list by placing said copies in properly addressed, stamped envelopes and depositing the same in the U.S. Mail in Belvidere, Illinois on the 8th day of May, 2006.

Valerie Hallstrom
Valerie Hallstrom

Subscribed and sworn to before me this 8th day of May, 2006.

[Signature]
Notary Public



SERVICE LIST

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